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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
 9/12/24 8:53 am
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

In re:	:	Case No.:	19-23468-GLT
	:	Chapter:	13
Shanda K. Welsh	:		
	:		
	:	Date:	9/11/2024
Debtor(s).	:	Time:	10:00

PROCEEDING MEMO

MATTER: #77 - Trustees Motion to Dismiss Case with Prejudice
 #80 Response by Debtor

APPEARANCES:
 Debtor: Rodney D. Shepherd [Shanda Welsh]
 Trustee: Kate DeSimone

NOTES: [10:05]

DeSimone: Trustee believes dismissal is warranted. Substantial shortfall at the end of case. Think that failure to disclose inheritance and spending it should merit a dismissal with prejudice.

Shepherd: Debtor's intention is to file a new chapter 13 case with a 100% plan.

Court: Regardless of a new case, want to understand the circumstances that led to this situation and if there was bad faith.

Shepherd: Not sure if the Debtor understood the need to disclose.

Welsh: Inheritance from father's death. Got the money and let Attorney Shepherd know about it in spring / summer 2022. Father's home was sold to her brother for \$80,000 and thought that took care of things. Used funds to get divorced and buy a cheaper house that needed lots of repairs. Still have father's vehicle (2018 Dodge Ram) and a 2019 Rav4. The Dodge Ram has no liens. Lives with her son. Was told that plan term could not be extended.

DeSimone: Right now need \$16,612.88 to complete the plan at 100%.

Court: Unacceptable to not disclose and spend the inheritance, but dismissal with prejudice may only serve to further delay payment to creditors. Would consider allowing Debtor to complete plan if substantial payments can be made every month and this is resolved quickly. Around \$3,000 a month. Will give two weeks to allow the parties to discuss.

OUTCOME:

1) For the reasons stated on the record, the *Motion to Dismiss Case with Prejudice* [Dkt. No. 77] is resolved subject to the parties' submission of a stipulation, filed under certification of counsel on or before September 26, 2024. [Text order].

DATED: 9/11/2024